

HIV REPORTING UPDATE – AUGUST 2006



California Law Requiring HIV Reporting by Name

On April 17, 2006, a new California law took effect, changing the reporting requirements for cases of HIV infection. The new law (Health and Safety [H&S] Code Section 121022) requires that health care providers and laboratories report cases of HIV infection by name to the local health officer, and that local health officers report unduplicated HIV cases by name to the California Department of Health Services, Office of AIDS (CDHS/OA). Information about the new HIV reporting law is available on OA's Web site at www.dhs.ca.gov/AIDS.

Name-based HIV Reporting Regulations

H&S Code Section 121022 requires CDHS to develop emergency regulations that modify Title 17, California Code of Regulations, Sections 2641.5-2643.20 (HIV reporting by non-name code regulations) so that they are consistent with H&S Code Section 121022. CDHS has one year to fulfill this mandate. Draft emergency regulations have been prepared and are currently undergoing CDHS review. Once this approval process has been completed, there will be an opportunity for public comment by all interested parties.

Guidance on Implementing Name-based HIV Reporting

CDHS is providing ongoing technical assistance to local health departments (LHDs) regarding the implementation of name-based HIV reporting. CDHS recently distributed a guidance letter to assist LHDs in transitioning from code-based to name-based HIV reporting. This letter, released on August 15, 2006, is available at <http://www.dhs.ca.gov/ps/ooa/HIVReporting/Default.htm>. The text of the new law, as well as previous guidance letters, case report forms, and HIV reporting FAQs, can be found on the "*HIV Reporting*" page on OA's Web site at www.dhs.ca.gov/AIDS.

CDHS makes the following recommendations:

- I. CDHS advises that health care providers, laboratories, and LHDs report cases of HIV infection by name if an HIV-related laboratory test has been performed on or after April 17, 2006.
- II. CDHS has informed LHDs that information previously reportable on non-name code HIV cases should be included on all name-based HIV case reports submitted to CDHS. This includes patient date of birth, gender, and the last four digits of the Social Security Number, as well as clinical and risk factor information.
- III. CDHS cautions LHDs against reporting full Social Security Number, patient street address, and patient telephone number on confidential HIV case reports until new regulations are in place that authorize the release of this information. However, as provided under existing regulations, LHDs should continue to report information used to un-duplicate HIV case reports and to assign cases to the appropriate local health jurisdiction for the purpose of funding allocations.
- IV. When reporting cases of HIV infection diagnosed prior to April 17, 2006, it may be necessary to retrieve information from the patient medical record to complete a case report form. In these situations, CDHS advises LHDs to be mindful of the terms of the patient consent.

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New Adult HIV/AIDS Confidential Case Report Form

The newest HIV/AIDS adult reporting forms, released in June 2006, are now available for use in reporting to CDHS/OA. The revised form reflects the new HIV reporting law and the anticipated requirements of the new regulations. The new forms also match the HIV/AIDS Reporting System (HARS) data screens more closely. Until new HIV reporting regulations take effect, LHDs may opt to continue reporting cases of HIV infection using the non-name code version of the case report form with the addition of the patient name. The following is a list of changes to the adult form by section:

Section:

- I. Patient's name and address section has been moved to the top of the first page.
- II. New field for Clinical Laboratory Improvement Amendments number.
- III. Ethnicity has been added, along with a field for expanded race. An addendum is no longer required for this form.
- III/IV. A vertical box has been added along the left margin of page one for the purpose of attaching filing labels. The instructions in the box ("*For STATE HEALTH DEPARTMENT USE ONLY*") do not apply to required information in the adjacent sections. These instructions will be removed from subsequent printings.
- V. New patient risk listed, "*Perinatally-acquired HIV infection regardless of year of birth.*"
- VI. Day fields have been added to the laboratory dates; and
Viral load has an additional field for "*undetectable.*"
- VII. Provider information has been moved to the top of the second page; and
"*Inmate's medical record number*" has been added to the field with "*Patient's medical record number.*"
- IX. Some of the Treatment/Services Referrals fields have been re-sorted to match HARS more closely.

An Adobe® PDF version of the adult case report form is available on OA's Web site at <http://www.dhs.ca.gov/ps/ooa/HIVReporting/Default.htm>. This electronic form is designed for printing only. Case reports should never be sent electronically. Electronic reports will not be accepted by CDHS/OA.

HIV/AIDS Surveillance Conference

The HIV/AIDS Surveillance Conference, previously planned for September 2006, has been rescheduled for May 2007. Plenary and breakout sessions will focus on the new HIV name reporting regulations and utilizing the new HIV/AIDS Surveillance Toolkit. More information regarding the planned agenda, conference registration, and hotel reservations will be announced later.

Location: Double Tree Hotel, Sacramento, California
Dates: Tuesday–Thursday, May 15–17, 2007